

CITY OF DEER PARK

64-014

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes

of

THE 1466th REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS HELD IN THE CITY HALL, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS ON FEBRUARY 19, 2008 BEGINNING AT 7:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

WAYNE RIDDLE  
CHARLES GARRISON  
THANE HARRISON  
CHRIS RICHEY  
BLAKE BARNES  
BECKIE STOCKSTILL-COBB  
DEAN LAWThER

MAYOR  
COUNCILMAN  
COUNCILMAN  
COUNCILMAN  
COUNCILMAN  
COUNCILWOMAN  
COUNCILMAN

OTHER CITY OFFICIALS PRESENT:

RONALD V. CRABTREE  
SANDRA WATKINS  
GARY JACKSON  
JIM FOX

CITY MANAGER  
CITY SECRETARY  
ASSISTANT CITY MANAGER  
CITY ATTORNEY

1. MEETING CALLED TO ORDER AND RECESSED - Mayor Riddle called the regular meeting to order at 7:30 p.m. and recessed the regular meeting to reconvene the workshop.
2. MEETING RECONVENED - Mayor Riddle reconvened the regular meeting at 8:04 p.m.
3. INVOCATION - The invocation was given by Councilman Richey.
4. PLEDGE OF ALLEGIANCE - Councilwoman Stockstill-Cobb led the pledge of allegiance to the United States Flag and Texas Flag.
5. CONSENT CALENDAR - Motion was made by Councilman Lawther and seconded by Councilwoman Stockstill-Cobb to approve the consent calendar as follows:
  - a. Approval of minutes of regular meeting on February 5, 2008.

- b. Approval of corrected minutes of special meeting on January 29, 2008.
- c. Authorization to seek RFP's for architect for Library and City Hall Expansion Project.
- d. Acceptance of Community Center Expansion Project.
- e. Approval of tax refund to Dynamic Outdoors LP in the amount of \$699.11 due to an overpayment.

Motion carried 7 to 0.

- 6. CONSIDERATION OF AND ACTION ON AN AGREEMENT WITH KASNER AND ASSOCIATES FOR SALES TAX COLLECTION - Motion was made by Councilman Lawther and seconded by Councilman Barnes to enter into an agreement with Kasner and Associates for sales tax collection. Motion carried 7 to 0.
- 7. CONSIDERATION OF AND ACTION ON AN ORDINANCE AMENDING THE SEXUALLY ORIENTED BUSINESS ORDINANCE - Motion was made by Councilwoman Stockstill-Cobb and seconded by Councilman Barnes to adopt on first and final reading Ordinance No. 3186, captioned as follows:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES SECTION 22-295(3) OF THE CITY OF DEER PARK, REGARDING ISSUANCE OR DENIAL OF PERMIT FOR ADULT ORIENTED BUSINESS AND REQUIRED DISTANCE FROM RESIDENCE; AND DECLARING AN EMERGENCY.

Motion carried 7 to 0.

- 8. CONSIDERATION OF AND ACTION ON AN ORDINANCE AMENDING THE CLASSIFICATION SCALE FOR ADDITION OF AN ASSISTANT PUBLIC WORKS DIRECTOR - Motion was made by Councilwoman Stockstill-Cobb and seconded by Councilman Garrison to adopt on first and final reading Ordinance No. 3187, captioned as follows:

AN ORDINANCE AMENDING THE CITY OF DEER PARK'S CLASSIFICATION SCALE BY ADDING A POSITION UNDER PAY RANGE NO. 25 – ASSISTANT PUBLIC WORKS DIRECTOR FOR EMPLOYEES OF THE CITY OF DEER PARK; AND DECLARING AN EMERGENCY.

Motion carried 7 to 0.

9. CONSIDERATION OF AND ACTION ON AN ORDINANCE CALLING A GENERAL ELECTION ON MAY 10, 2008 - Motion was made by Councilwoman Stockstill-Cobb and seconded by Councilman Barnes to adopt on first and final reading Ordinance No. 3188, captioned as follows:

AN ORDINANCE CALLING A GENERAL ELECTION IN THE CITY OF DEER PARK, TEXAS, ON MAY 10, 2008, FOR THE ELECTION OF THREE COUNCILMEMBERS, POSITIONS FOUR, FIVE AND SIX; ESTABLISHING THE ELECTION PRECINCT FOR SUCH ELECTION; THE POLLING PLACE THEREFORE; NAMING THE ELECTION JUDGES AND PROVIDING FOR THEIR COMPENSATION; PROVIDING FOR NOTICE; AND DECLARING AN EMERGENCY.

Motion carried 7 to 0.

10. CONSIDERATION OF AND ACTION ON AN ORDINANCE CALLING A SPECIAL ELECTION FOR 4B SALES TAX ON MAY 10, 2008 - Councilwoman Stockstill-Cobb made a motion to adopt on first and final reading Ordinance No. 3189, and commented, because it will help us promote or develop new and expanded business enterprises limited to streets and roads, water and sewer utilities, electric utilities, gas utilities, drainage site improvements and related improvements, telecommunications, internet improvements, and projects for the promotion of any of these things: public parks, park facilities, restaurants, water and sewer facilities, projects to promote new or expanded business enterprise that will create or retain primary jobs, public safety facilities, streets and roads, drainage and related improvements. The motion was seconded by Councilman Garrison, and the ordinance is captioned as follows:

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF DEER PARK, TEXAS, ON MAY 10, 2008 TO SUBMIT A PROPOSITION ON THE QUESTION OF THE ADOPTION OF A SECTION 4B ADDITIONAL SALES AND USE TAX WITHIN THE CITY AT THE RATE OF ONE-HALF OF ONE PERCENT; ESTABLISHING THE ELECTION PRECINCT FOR SUCH ELECTION; THE POLLING PLACE THEREFORE; PROVIDING FOR NOTICE; AND DECLARING AN EMERGENCY.

Motion carried 6 to 1 with Councilman Lawther voting in opposition.

11. CONSIDERATION OF AND ACTION ON AN ORDINANCE CALLING A SPECIAL ELECTION FOR CHARTER REVISIONS ON MAY 10, 2008 - Motion was made by Councilman Barnes and seconded by Councilman Lawther to table this ordinance for future discussion.

Councilman Barnes commented, "I think we need to discuss this. Not just until next week, but table it until we all have time to get together and discuss the issues. Tonight, we added a new charter revision to it without any discussion. I think it needs to be tabled until sometime in the next couple of months."

Councilwoman Stockstill-Cobb commented, "It will not be on the election in May."

Councilman Barnes commented, "It will not be in this election, it will have to be in November."

Councilwoman Stockstill-Cobb commented, "That is an expensive proposition, about a \$14,000.00 proposition."

Mayor Riddle commented, "What Councilman Barnes is suggesting is that we postpone this to a later date, and the date being to where we could not have a Charter election. I would like to speak against that motion, because there are some things in there that we need. There has been a lot of time spent on this. We have talked about it with this Council. Some of these things are very important. We are talking about the self serving things. There are self serving things for both ends of the table on one particular part of it. I am speaking against the motion."

Councilman Garrison commented, "I would like to speak against the motion also. The change that we are making tonight is because of the information that the City Attorney found. It brings it back into exactly the same form, I believe, as it came out of the Charter Committee. Certainly, it may not be perfect, I agree with that, but the potential advantages, in my opinion, far outweigh any potential the other direction."

Motion failed 2 to 5 with Mayor Riddle, Councilman Garrison, Councilman Harrison, Councilman Richey, and Councilwoman Stockstill-Cobb voting in opposition.

Motion was made by Councilman Garrison and seconded by Councilwoman Stockstill-Cobb to postpone this item until Tuesday, February 26, 2008, for a special called Council meeting in order to get this approved for the May election. Motion carried 5 to 2 with Councilman Barnes and Councilman Lawther voting in opposition.

12. CONSIDERATION OF AND ACTION ON AN ORDINANCE AMENDING THE TRAFFIC CODE SECTION 66-191, SCHEDULE A, SECTION 66-215, SCHEDULE AA, AND SECTION 66-197, SCHEDULE H - Motion was made by Councilman Lawther and seconded by Councilman Barnes to adopt on first and final reading Ordinance No. 3190, captioned as follows:

AN ORDINANCE AMENDING SECTION 66-191, SCHEDULE A, SECTION 66-215, SCHEDULE AA, AND SECTION 66-197, SCHEDULE H OF THE

CODE OF ORDINANCES OF THE CITY OF DEER PARK, TEXAS,  
PROVIDING ADDITIONAL TRAFFIC REGULATIONS; PROVIDING A  
SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND  
DECLARING AN EMERGENCY.

Councilwoman Stockstill-Cobb asked, "Seaco Avenue, Seaco Court and West 8th Street, those particular streets are rather short in length. Isn't forty miles per hours rather high?"

Councilman Lawther answered, "There is very low traffic on them."

Councilwoman Stockstill-Cobb asked, "Do you think forty miles per hour is appropriate?"

Councilman Lawther answered, "Yes."

Nader Naderi, Director of Public Works, answered, "That area is Light Industrial, and I believe forty miles per hour is appropriate. The streets are wide enough. Seaco Avenue and Seaco Court are both 60 feet wide. West 8th Street is 45 feet wide and dead ends into San Augustine. San Augustine and P Street are both forty miles per hour."

Councilwoman Stockstill-Cobb commented, "They just seem short for forty miles per hour. I know it is heavy trucks, typically, but okay."

Motion carried 7 to 0.

13. CONSIDERATION OF AND ACTION ON AN ORDINANCE ADDING SECTIONS 66-31(Z) AND 66-215, SCHEDULE AA TO THE TRAFFIC CODE - Motion was made by Councilman Garrison and seconded by Councilman Harrison to adopt on first and final reading Ordinance No. 3191, captioned as follows:

AN ORDINANCE ADDING SECTIONS 66-31(Z) AND 66-215 SCHEDULE AA TO THE CODE OF ORDINANCES OF THE CITY OF DEER PARK, TEXAS, PROVIDING ADDITIONAL TRAFFIC REGULATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Motion carried 7 to 0.

14. COMMENTS FROM COUNCIL

Councilman Barnes commented, "While we were sitting up here tonight Deer Park High School won tonight 62-55 in the first round of play-offs."

Mayor Riddle commented, "Last Council meeting I appointed the Landscape Committee members, and I had asked for some input from Council. That committee, so far, is chaired by Councilman Richey, and members are Councilmember Dean Lawther, Glenn Tolar, Ryan Taylor, and two other people that we have not heard back from yet, who we have asked to serve, Hal Anderson and Tommy Warren. These folks will be the committee once those two have agreed to it. If they don't, we will ask a couple more."

15. ADJOURNMENT - Mayor Riddle adjourned the meeting at 8:31 p.m.

ATTEST:

APPROVED:

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Sandra Watkins, TRMC, CMC  
City Secretary

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Wayne Riddle  
Mayor